

BROWDY AND NEIMARK, P.L.L.C.

ATTORNEYS AT LAW

PATENT AND TRADEMARK CAUSES

SUITE 300

624 NINTH STREET, N.W.

WASHINGTON, D. C. 20001-5303

TELEPHONE (202)-628-5197

SHERIDAN NEIMARK
ROGER L. BROWDYANNE M. KORNBAU
NORMAN J. LATKER
RONNI S. JILLIONS
DIANA MICHELLE SOBO
AOI NAWASHIROOF COUNSEL
IVER P. COOPER
JAY M. FINKELSTEIN

ALVIN BROWDY (1917-1998)

PATENT AGENT

ALLEN C. YUN, PH.D.

TELECOPIER FACSIMILE

(202) 737-3528

(202) 393-1012

E-MAIL

mail@browdyneimark.com

TELEFAX CONTROL SHEET

SENT TO:

Examiner Canella

DATE SENT:

Feb. 22, 2005

SUBJECT:

Koken 09/744,605

No. of pages (including this cover sheet):

1 + 1 + 1 + 8 + 22

FROM:

A. Neimark

Remarks:

Per your voice mail
message, we fax herewith

- ① postcard receipt from PTO proving
~~that~~ that Reply was timely filed;
② Reply and ③ Attachment to Reply.

CONFIDENTIALITY NOTE

This confidential facsimile message is intended only for the individual entity named above, and may contain information that is privileged and exempt from disclosure under applicable law. If you, the reader of this message, are not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that you should not copy this facsimile or distribute it to anyone other than the intended recipient. In addition, if you have received this telecopy in error, please immediately notify us by telephone or telefax and return the original message to us at the address above via the United States Postal Service. Finally, if it would not inconvenience you, we would appreciate it if you would first relax this message to the intended recipient. Thank you.

If this transmission is not well received, please advise us at our telecopier no. 202-737-3528 or by e-mail at mail@browdyneimark.com, or call our voice telephone no. 202-628-5197.

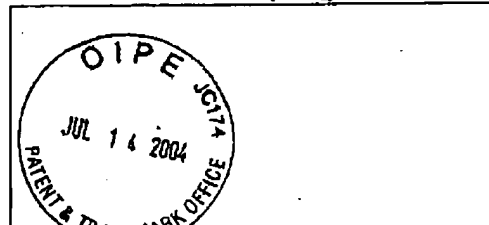
APPLICATION/PATENT NO: 09/744,605
DOCKET NO: KOKEN 1

CONF. NO.: 16K6
CLIENT CODE: SER 1

THE PATENT AND TRADEMARK OFFICE STAMP
HEREON ACKNOWLEDGES RECEIPT OF THE
FOLLOWING PAPERS:

- ☒ FEES \$ 110.00 PTO FORM 2038
☒ EXTENSION OF TIME (1 MONTHS)
☒ TRANSMITTAL LETTER
☐ MISSING PARTS RESPONSE WITH DECL
☒ AMENDMENT RESPONSE (circle one)
☐ PRELIMINARY ☐ SUPPLEMENTAL
☐ APPLICATION DATA SHEET
☐ RESTRICTION/ELECTION REPLY
☐ SEQUENCE LISTING ☐ WITH DISK
☐ RCE TRANSMITTAL
☐ REQUEST FOR STATUS
☐ NOTICE OF APPEAL
☐ APPEAL BRIEF/REPLY BRIEF (TRIPPLICATE)
☐ REQUEST & CERTIFICATE OF CORRECTION
☒ OTHER English translation of French priority document

B&N-1



- ☐ ASSIGNMENT
☐ INFORMATION DISCLOSURE STATEMENT
☐ FORM SB08A & _____ PATENTS/PUBS
☐ PRIORITY DOCUMENT(S) NO. _____
☐ DECLARATION UNDER \$ _____
☐ _____ SHEETS OF FORMAL DRAWINGS
☐ ISSUE FEE TRANSMITTAL FORM
☐ PUBLICATION FEE
☐ MAINTENANCE FEE LETTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Marcel KOKEN et al.

Art Unit: 1642

Application No.: 09/744,605

Conf. No. 1616

Examiner: K. A. Canella

Filed: July 27, 2001

Washington, D.C.

For: USE OF NOVEL AGENTS INDUCING CELL DEATH IN SYNERGY WITH INTERFERONS

Atty.'s Docket: KOKEN=1

Date: July 14, 2004

THE HONORABLE COMMISSIONER FOR PATENTS
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mall Stop: Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Transmitted herewith is a ☒ Amendment ☐ _____

in the above-identified application.

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.☐ No additional fee is required.☒ The fee has been calculated as shown below:

(Col. 1)			(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS	RATE	ADDITIONAL FEE	RATE		ADDITIONAL FEE	
TOTAL	* 11	MINUS	** 20	0	COPY				x 16	\$
INDEP.	* 4	MINUS	*** 8	0		x 13	\$		x 86	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						145	\$		+ 290	\$
					ADDITIONAL FEE TOTAL		\$	OR	TOTAL \$	

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☒ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

☐ First - \$ 55.00☐ Second - \$ 210.00☐ Third - \$ 475.00☐ Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity
Response Filed Within

☒ First - \$ 110.00☐ Second - \$ 420.00☐ Third - \$ 950.00☐ Fourth - \$ 1480.00

Month After Time Period Set

☐ Less fees (\$ _____) already paid for _____ month(s) extension of time on _____.☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ _____.☒ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 110.00.☐ A check in the amount of \$ _____ is attached (check no.).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.18 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By:

Allen C. Yun
Registration No.: 37,971

Facsimile: (202) 737-3528
Telephone: (202) 628-5197

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KOKEN=1

In re Application of:)	Art Unit: 1642
)	
Marcel KOKEN et al.)	Examiner: K. A. Canella
)	
Appln. No.: 09/744,605)	Washington, D.C.
)	
Date Filed: July 27, 2001)	Confirmation No. 1616
)	
For: USE OF NOVEL AGENTS)	July 14, 2004
INDUCING CELL DEATH IN)	
SYNERGY WITH INTERFERONS)	

AMENDMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

In response to the Office Action of March 15, 2004,
petition and payment for a one month extension of time being
attached hereto, please amend as follows:

Amendments to the Claims are reflected in the listing of claims
which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

Attachments including a certified English translation of the
French priority document is attached following page 8 of this
paper.